



Office of Administrative Law Judges

Quarterly Report on Case Inventory for 1st Quarter FY 2022

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Record Closed More Than 12 Months without a Decision

Figure 1. Total Record Closed More Than 12 Months without a Decision by Case Area (As of 31 December 2021)

	Total Record Closed As of 31 December 2020	Total Record Closed As of 31 December 2021
BLACK LUNG BENEFITS ACT	81	48
DEFENSE BASE ACT	2	3
LONGSHORE and HARBOR WORKERS COMPENSATION ACT	13	24
PERMANENT ALIEN LABOR CERTIFICATION	432	344
TEMPORARY ALIEN LABOR CERTIFICATION	2	0
TRADITIONAL	1	0
WHISTLEBLOWER	8	5
OALJ TOTAL	539	424

*** Note:**

For purposes of this reporting requirement, a record closes on the later of the date the hearing was concluded, the transcript was received, post-hearing evidence was due, closing briefs were to be filed, or the date the presiding ALJ issues an order formally closing the record. If a party waives a hearing, the record closes on the date the presiding judge sets for filing of all submissions. In other words, a record is closed when the case is "ready to write."

Figure 2. Total Record Closed More Than 12 Months without a Decision by Office

	Total Record Closed As of 31 December 2020	Total Record Closed As of 31 December 2021
NATIONAL OFFICE	434	348
WASHINGTON, DC OFFICE	21	10
BOSTON OFFICE	5	13
CHERRY HILL OFFICE	8	5
CINCINNATI OFFICE	21	5
COVINGTON OFFICE	0	1
NEWPORT NEWS OFFICE	5	11
PITTSBURGH OFFICE	23	20
SAN FRANCISCO OFFICE	22	11
OALJ TOTAL	539	424

*** Note:**

For purposes of this reporting requirement, a record closes on the later of the date the hearing was concluded, the transcript was received, post-hearing evidence was due, closing briefs were to be filed, or the date the presiding ALJ issues an order formally closing the record. If a party waives a hearing, the record closes on the date the presiding judge sets for filing of all submissions. In other words, a record is closed when the case is "ready to write."

Pending Cases

Figure 3. Pending Cases More Than 2 years and 3 Years from Date of Docket by Case Area (As of 31 December 2021)

Case Area	Total Pending Cases More Than 2 Years From the Date of Docket As of 31 December 2021	Total Pending Cases More Than 3 Years From the Date of Docket As of 31 December 2021
BLACK LUNG BENEFITS ACT	518	155
DEFENSE BASE ACT	120	11
LONGSHORE AND HARBOR WORKERS COMPENSATION ACT	119	31
PERMANENT ALIEN LABOR CERTIFICATION	252	119
TEMPORARY ALIEN LABOR CERTIFICATION	18	9
TRADITIONAL	29	17
WHISTLEBLOWER	63	25
OALJ TOTAL	1119	367

Figure 4. Pending Cases More Than 2 years and 3 Years from Date of Docket by Office

	Total Pending Cases More Than 2 Years From the Date of Docket As of 31 December 2021	Total Pending Cases More Than 3 Years From the Date of Docket As of 31 December 2021
NATIONAL OFFICE	411	188
WASHINGTON, DC OFFICE	122	39
BOSTON OFFICE	37	9
CHERRY HILL OFFICE	40	10
CINCINNATI OFFICE	154	34
COVINGTON OFFICE	48	17
NEWPORT NEWS OFFICE	54	5
PITTSBURGH OFFICE	113	25
SAN FRANCISCO OFFICE	140	40
OALJ TOTAL	1119	367

Figure 5. Total Pending Cases by Case Area by FY (As of 31 December 2021)

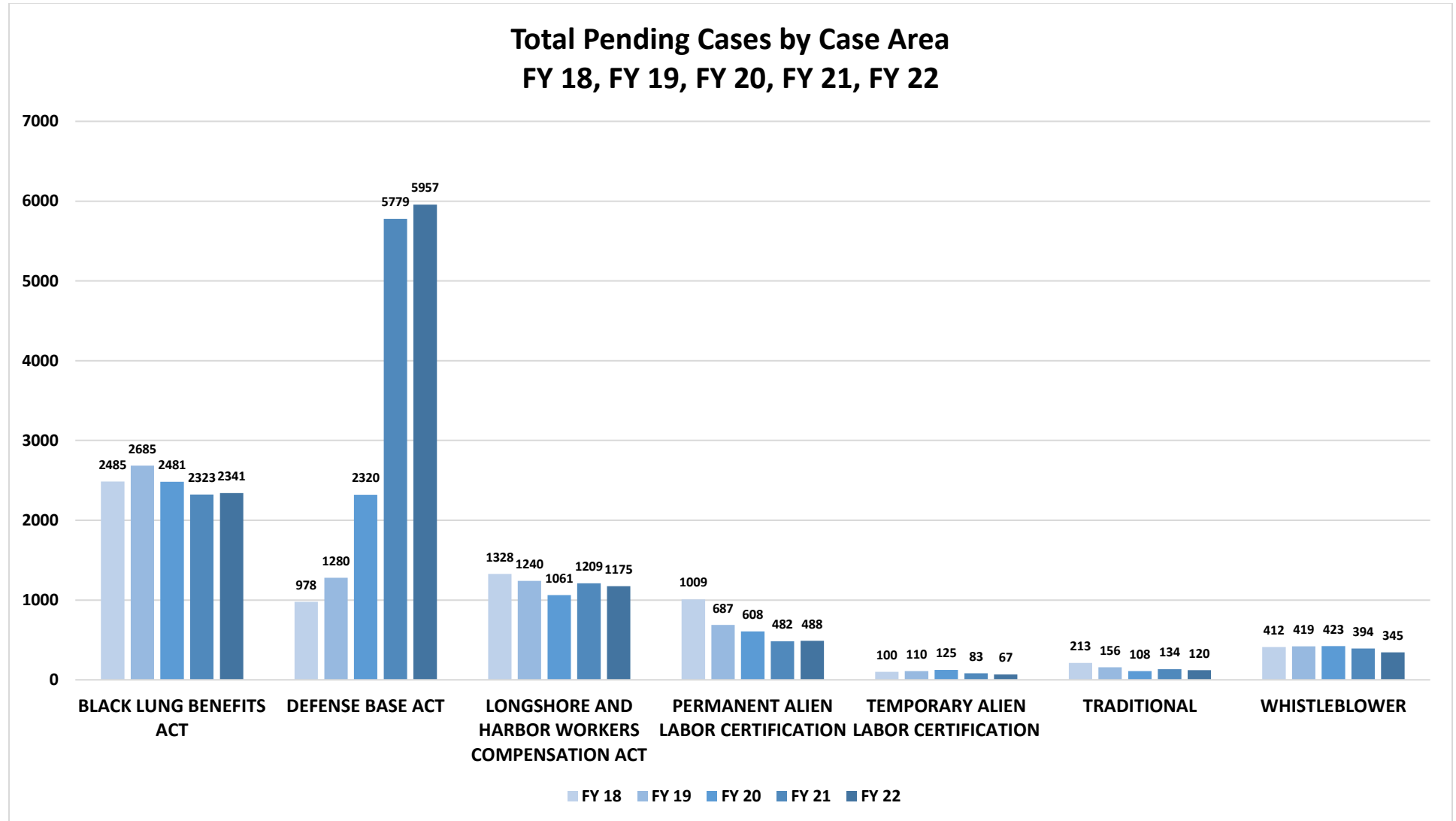
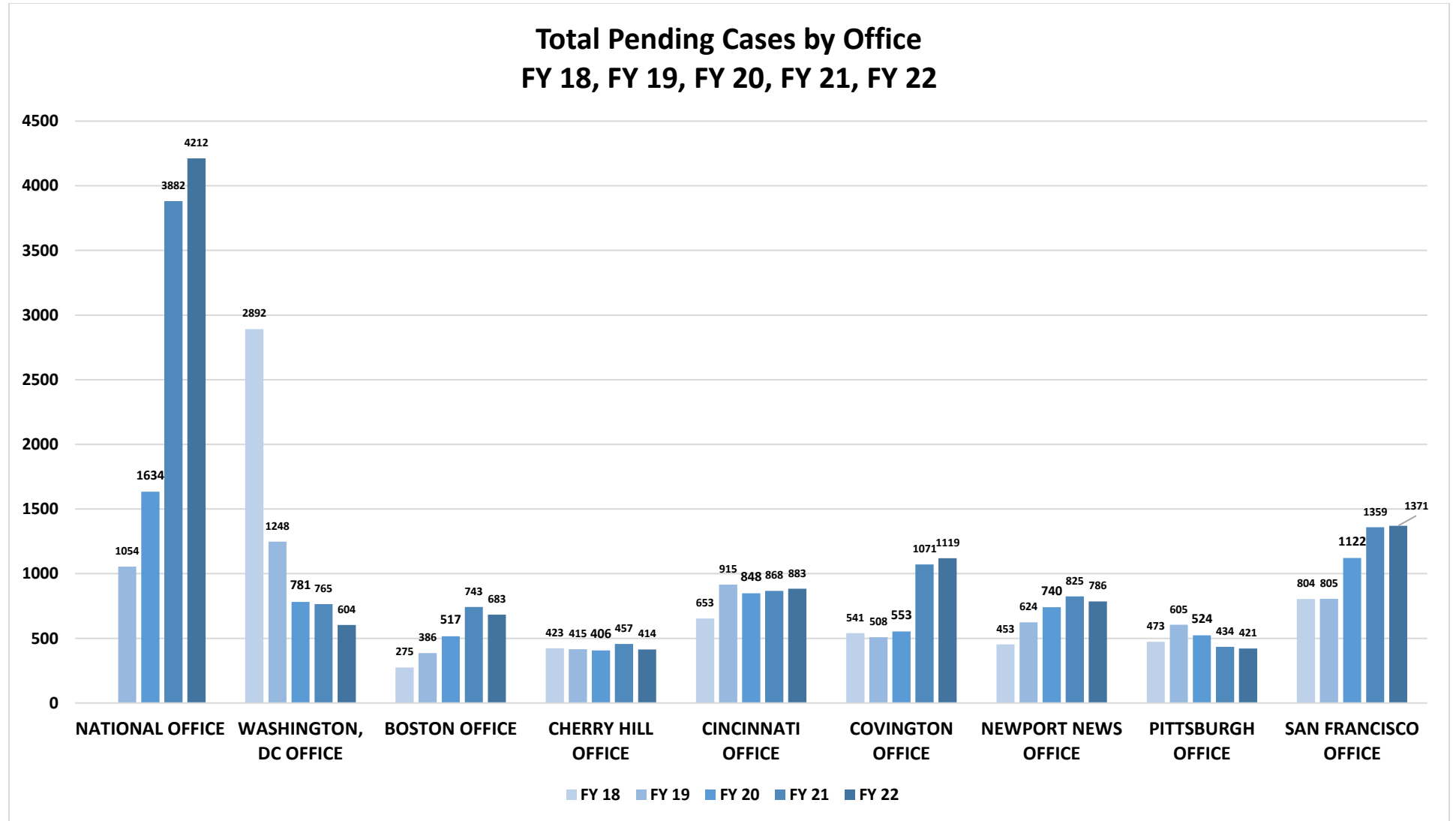


Figure 6. Total Pending Cases by Office by FY (As of 31 December 2021)



Pending Cases Trends

Figure 7. Pending Cases More Than 2 Years from Date of Docket by Agency Year over Year Differences (As of 31 December 2021)

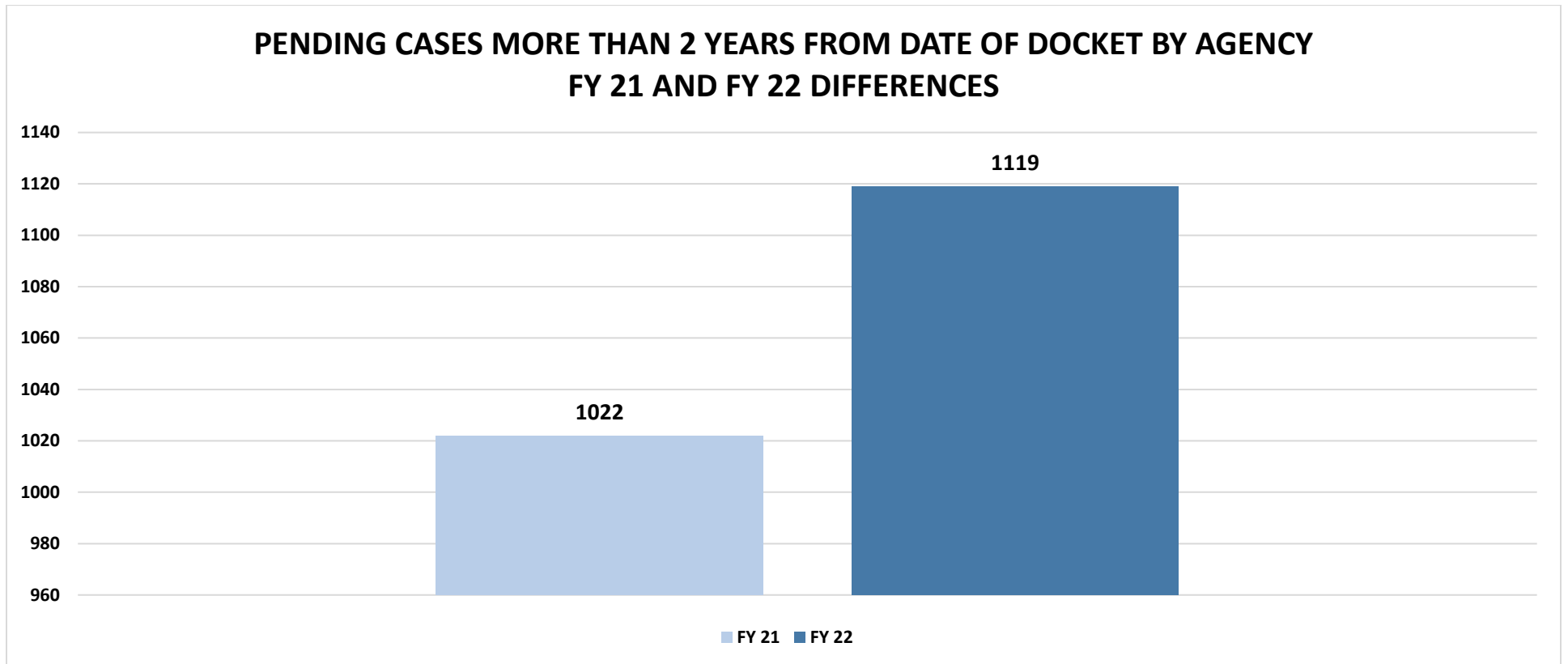


Figure 8. Pending Cases More Than 2 Years from Date of Docket by Office Year over Year Differences (As of 31 December 2021)

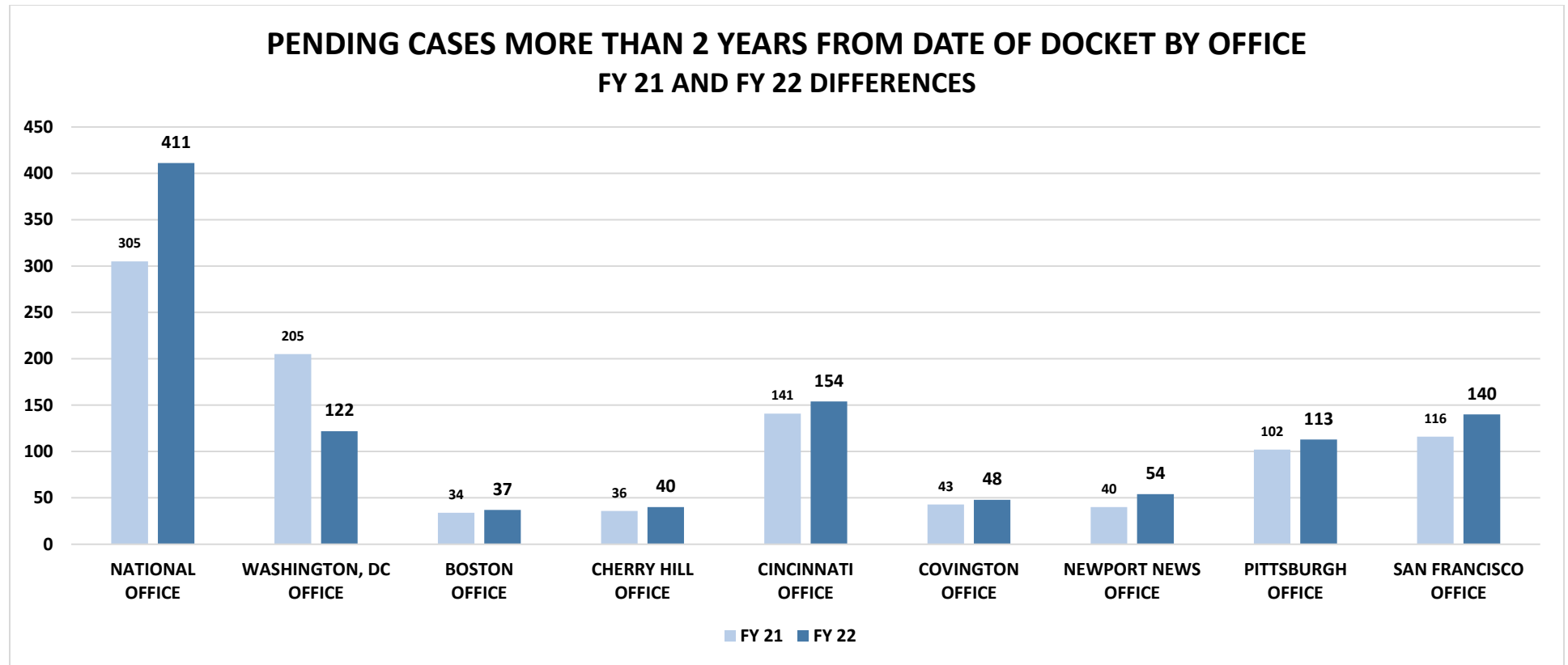


Figure 9. Pending Cases More Than 3 Years from Date of Docket by Agency Year over Year Differences (As of 31 December 2021)

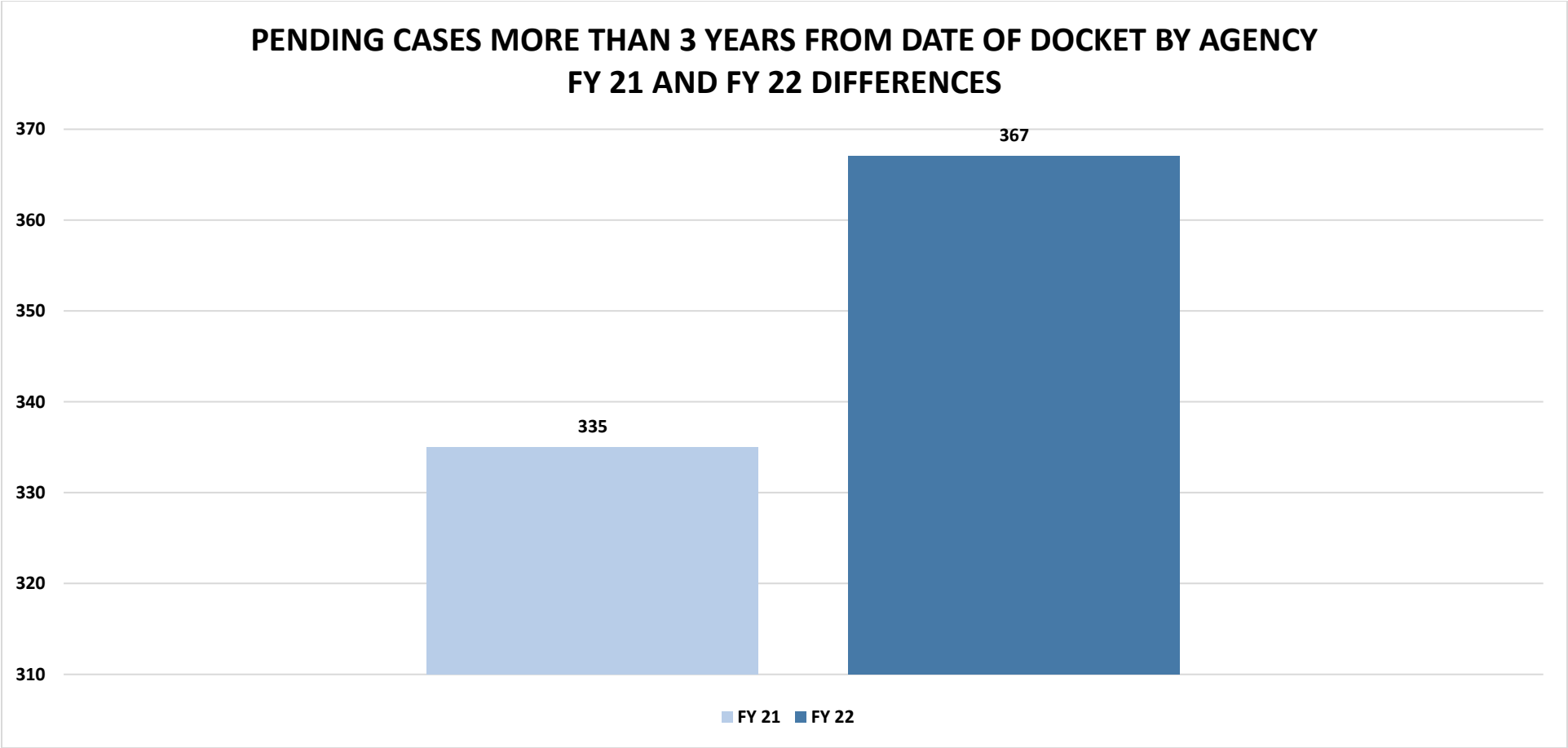
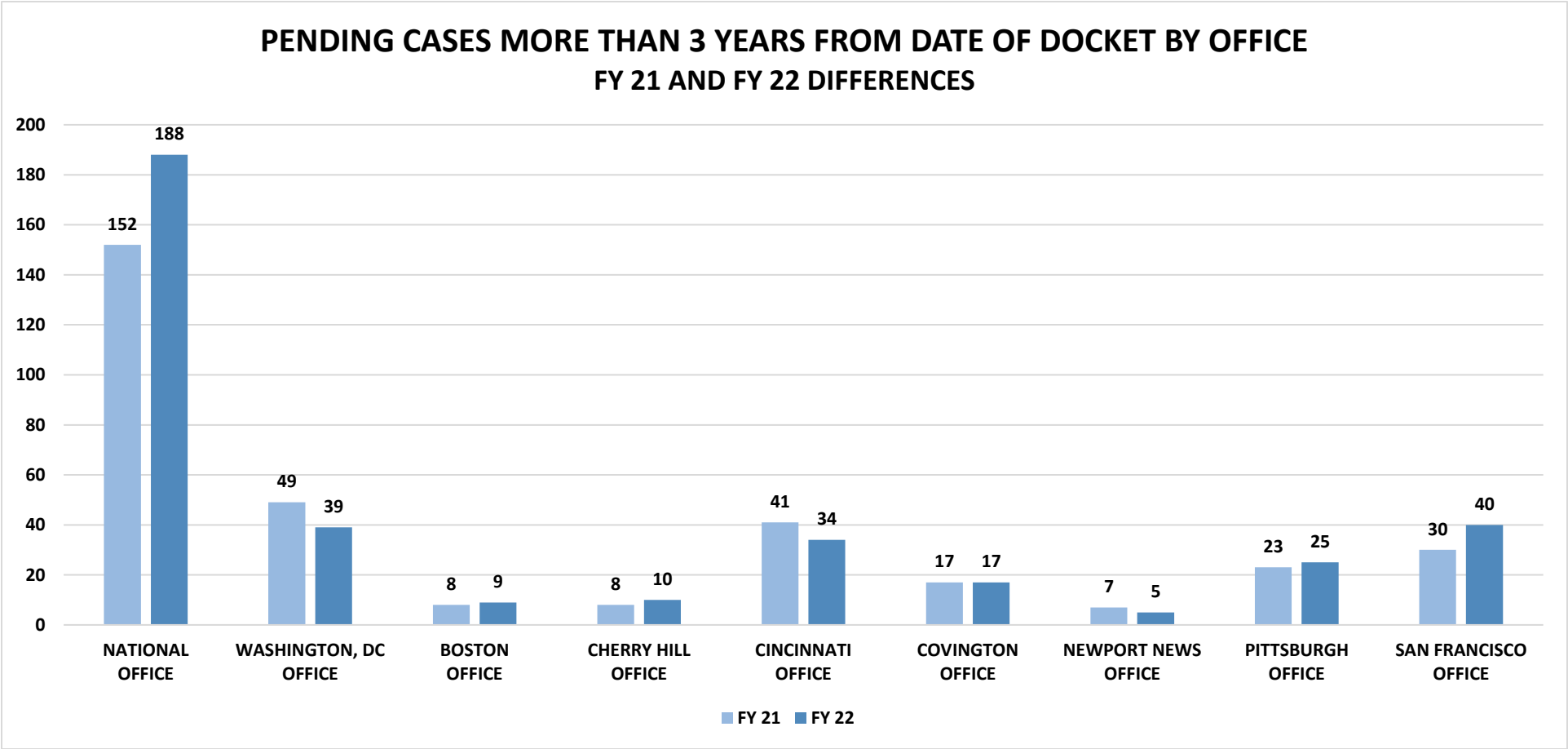


Figure 10. Pending Cases More Than 3 Years from Date of Docket by Office Year over Year Differences (As of 31 December 2021)



Disposed Cases

Figure 11. Total Disposed Cases by Case Area by FY (As of 31 December 2021)

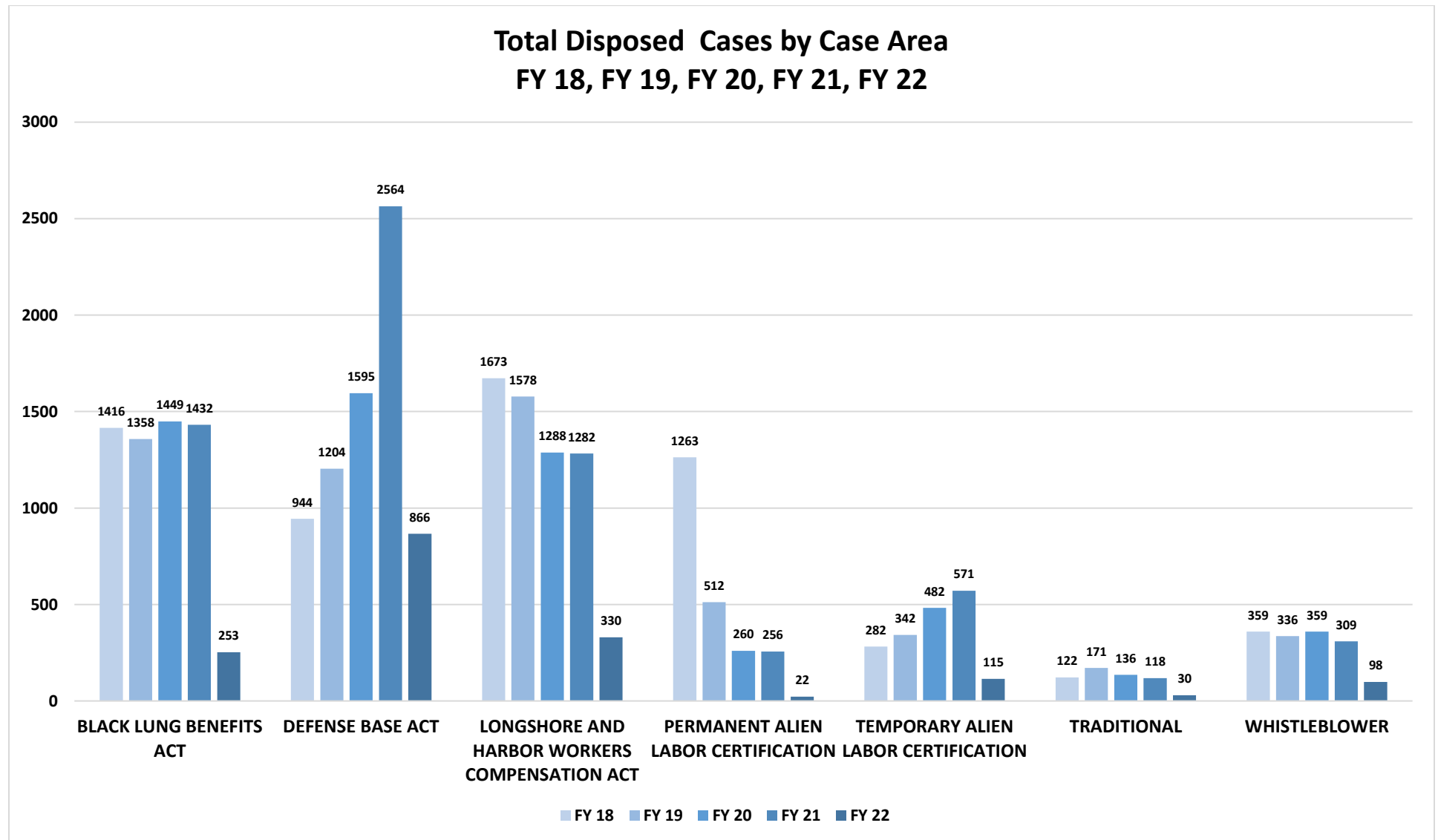


Figure 12. Total Disposed Cases by Office by FY (As of 31 December 2021)

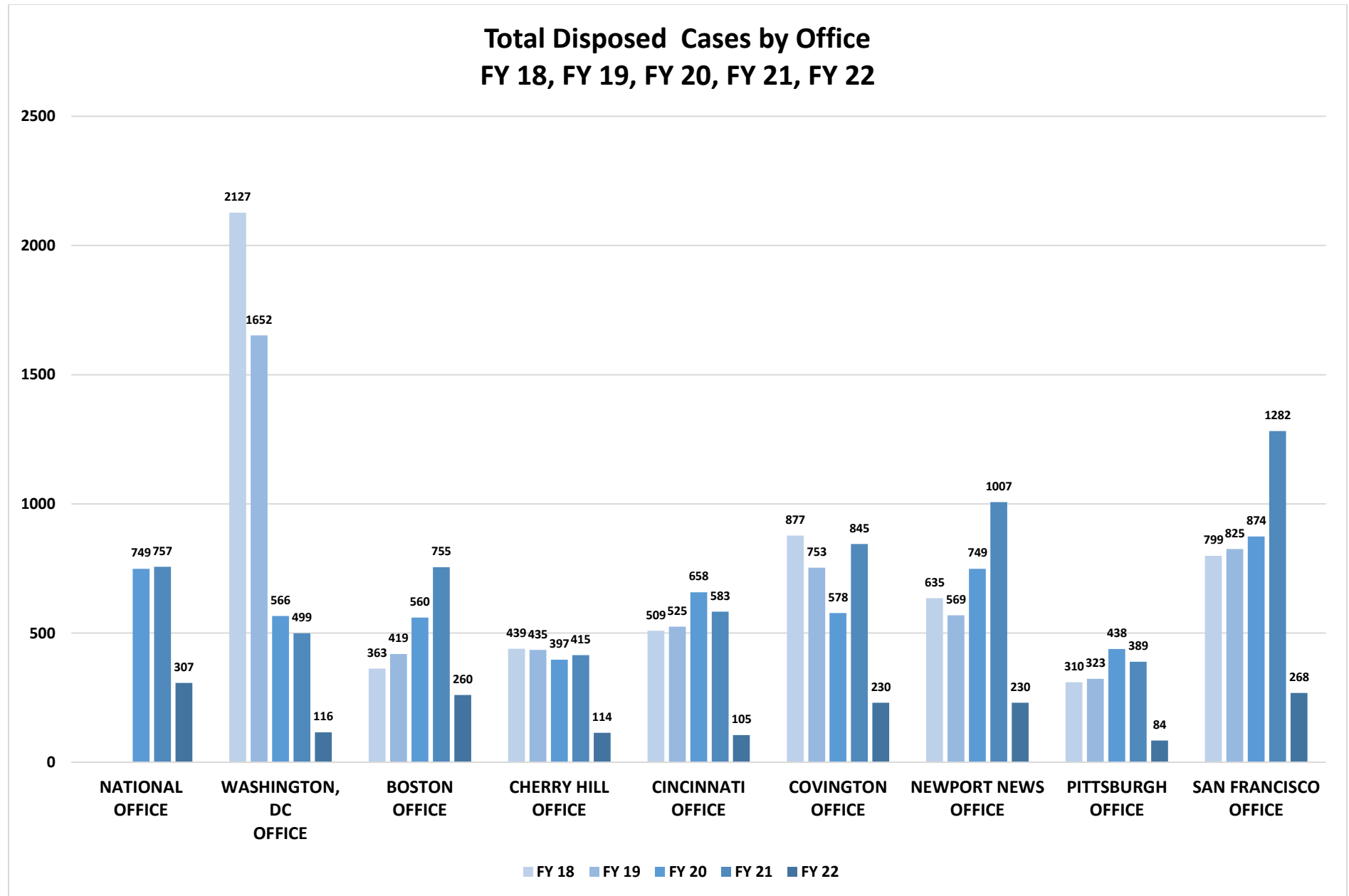


Figure 13. Total Disposed Cases FY 22 (1 October 2021 – 31 December 2021)

Total Disposed Cases FY 22 (1 October 2021 - 31 December 2021)	By Case Area	District Office Disposed Cases									
		Totals	NATIONAL OFFICE	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO
	BLACK LUNG BENEFITS ACT	253	9	45	2	44	70	8	9	60	6
	DEFENSE BASE ACT	866	237	28	142	9	1	157	144	0	148
	LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	330	5	6	94	35	0	43	59	0	88
	PERMANENT ALIEN LABOR CERTIFICATION	22	21	1	0	0	0	0	0	0	0
	TEMPORARY ALIEN LABOR CERTIFICATION	115	11	16	12	15	17	13	7	11	13
	TRADITIONAL	30	14	10	1	2	2	0	1	0	0
	WHISTLEBLOWER	98	10	10	9	9	15	9	10	13	13
	OALJ Totals	1714	307	116	260	114	105	230	230	84	268
	ADMINISTRATIVE CLOSURE	28	18	1	2	1	0	2	2	0	2
	AWARD OF BENEFITS	139	1	22	5	17	35	0	10	32	17
	CONSENT ORDER	8	2	0	2	0	1	3	0	0	0
	DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	113	22	21	9	12	6	18	6	5	14
	DENIAL OF BENEFITS	80	3	5	4	8	25	0	6	23	6
	DISMISSAL	73	24	10	4	6	6	8	6	4	5
	KICK-OUT TO FEDERAL COURT	3	1	0	0	0	0	1	0	0	1
	RECOMMENDED DECISION & ORDER	10	0	8	2	0	0	0	0	0	0
	REMAND	1037	227	31	167	46	20	175	186	10	175
	SETTLEMENT	186	3	16	59	15	7	22	12	7	45
	SUMMARY/DEFAULT JUDGMENT	16	2	2	6	1	0	0	2	0	3
	WITHDRAWAL	21	4	0	0	8	5	1	0	3	0
	OALJ Totals	1714	307	116	260	114	105	230	230	84	268

*** Note:**

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Figure 14. Total Disposed Cases FY 21 (1 October 2020 – 30 September 2021)

Total Disposed Cases FY 21 (1 October 2020 - 30 September 2021)	By Case Area	District Office Disposed Cases									
		Totals	NATIONAL OFFICE	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO
	BLACK LUNG BENEFITS ACT	1432	26	241	82	184	387	25	92	304	91
	DEFENSE BASE ACT	2564	290	120	424	29	34	506	536	9	616
	LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1282	30	46	146	102	8	211	292	2	445
	PERMANENT ALIEN LABOR CERTIFICATION	256	251	4	0	0	1	0	0	0	0
	TEMPORARY ALIEN LABOR CERTIFICATION	571	45	59	58	52	96	61	58	59	83
	TRADITIONAL	118	85	5	5	6	4	2	5	1	5
	WHISTLEBLOWER	309	30	24	40	42	53	40	24	14	42
	OALJ Totals	6532	757	499	755	415	583	845	1007	389	1282
	ADMINISTRATIVE CLOSURE	152	77	9	9	4	12	5	14	3	19
	AWARD OF BENEFITS	718	4	99	72	83	171	8	79	117	85
	CONSENT ORDER	65	22	4	8	7	3	6	5	6	4
	DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	602	231	75	28	41	26	77	33	26	65
	DENIAL OF BENEFITS	459	7	42	28	61	103	5	61	113	39
	DISMISSAL	307	89	27	26	32	39	27	22	18	27
	KICK-OUT TO FEDERAL COURT	6	3	0	1	2	0	0	0	0	0
	RECOMMENDED DECISION & ORDER	12	0	1	8	0	1	1	1	0	0
	REMAND	3385	271	197	468	125	166	599	745	80	734
	SETTLEMENT	678	3	38	100	43	47	106	38	8	295
	SUMMARY/DEFAULT JUDGMENT	38	3	0	5	3	5	4	7	3	8
	WITHDRAWAL	110	47	7	2	14	10	7	2	15	6
	OALJ Totals	6532	757	499	755	415	583	845	1007	389	1282

* Note:

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Figure 15. Total Disposed Cases FY 20 (1 October 2019 - 30 September 2020)

Total Disposed Cases FY 20 (1 October 2019 - 30 September 2020)	By Case Area		District Office Disposed Cases									
		Totals	NATIONAL OFFICE	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO	
		BLACK LUNG BENEFITS ACT	1449	86	165	91	173	406	50	113	282	83
		DEFENSE BASE ACT	1595	250	269	204	21	82	199	293	3	274
		LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1288	24	58	181	108	29	213	260	5	410
		PERMANENT ALIEN LABOR CERTIFICATION	260	249	7	2	0	0	2	0	0	0
		TEMPORARY ALIEN LABOR CERTIFICATION	482	41	44	52	55	83	46	51	48	62
		TRADITIONAL	136	61	3	4	8	7	8	8	30	7
		WHISTLEBLOWER	359	38	20	26	32	51	60	24	70	38
	OALJ Totals		5569	749	566	560	397	658	578	749	438	874
	By Decision Type	ADMINISTRATIVE CLOSURE	42	7	5	2	1	4	4	6	1	12
		AWARD OF BENEFITS	748	35	69	98	75	165	20	78	137	71
		CONSENT ORDER	79	16	2	11	14	7	6	10	12	1
		DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	647	260	70	29	31	72	65	31	35	54
		DENIAL OF BENEFITS	424	30	32	29	66	88	17	44	89	29
		DISMISSAL	358	71	18	29	33	23	52	24	82	26
		KICK-OUT TO FEDERAL COURT	2	1	0	0	0	0	0	0	0	1
		RECOMMENDED DECISION & ORDER	19	1	0	7	0	3	0	7	0	1
		REMAND	2260	230	226	255	136	224	217	477	56	439
		SETTLEMENT	838	37	143	93	34	47	192	55	8	229
		SUMMARY/DEFAULT JUDGMENT	45	6	1	7	0	4	2	16	1	8
WITHDRAWAL	107	55	0	0	7	21	3	1	17	3		
OALJ Totals		5569	749	566	560	397	658	578	749	438	874	

* Note:

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Figure 16. Total Disposed Cases FY 19 (1 October 2018 - 30 September 2019)

Total Disposed Cases FY 19 (1 October 2018 - 30 September 2019)	By Case Area		District Office Disposed Cases								
		Totals	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO	
		BLACK LUNG BENEFITS ACT	1358	247	65	187	367	121	82	226	63
		DEFENSE BASE ACT	1204	579	43	37	31	159	152	11	192
		LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1578	79	254	121	37	350	265	9	463
		PERMANENT ALIEN LABOR CERTIFICATION	512	511	1	0	0	0	0	0	0
		TEMPORARY ALIEN LABOR CERTIFICATION	342	82	33	37	38	43	32	31	46
		TRADITIONAL	171	86	7	9	8	8	10	28	15
	WHISTLEBLOWER	336	68	16	44	44	72	28	18	46	
	OALJ Totals		5501	1652	419	435	525	753	569	323	825
	By Decision Type	ADMINISTRATIVE CLOSURE	49	35	2	1	0	3	4	1	3
		AFFIRMING	7	0	2	0	2	0	2	0	1
		AWARD OF BENEFITS	674	92	136	34	169	46	48	85	64
		CONSENT DECREE	2	0	0	0	0	2	0	0	0
		CONSENT ORDER	93	28	4	7	4	6	4	30	10
		DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	1268	643	57	114	49	240	25	24	116
		DENIAL OF BENEFITS	324	36	13	24	97	31	44	48	31
		DISMISSAL	198	60	15	25	19	38	13	9	19
		FINAL ORDER	130	82	3	22	2	6	11	0	4
		KICK-OUT TO FEDERAL COURT	1	0	0	1	0	0	0	0	0
		ORDER OF DISMISSAL	92	29	2	7	27	12	3	3	9
		ORDER OF REMAND	575	107	33	60	41	69	127	24	114
		RECOMMENDED DECISION & ORDER	12	4	1	0	0	0	7	0	0
		REMAND	1269	270	118	108	74	166	231	64	238
		REVERSING	3	1	0	0	0	2	0	0	0
		SETTLEMENT	604	151	24	26	22	127	40	14	200
		SUMMARY/DEFAULT JUDGMENT	32	4	5	0	4	2	4	0	13
WITHDRAWAL	168	110	4	6	15	3	6	21	3		
OALJ Totals		5501	1652	419	435	525	753	569	323	825	

* Note:

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Figure 17. Total Disposed Cases FY 18 (1 October 2017 - 30 September 2018)

Total Disposed Cases FY 18 (1 October 2017 - 30 September 2018)	By Case Area		District Office Disposed Cases								
		Totals	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO	
		BLACK LUNG BENEFITS ACT	1416	246	54	181	387	137	78	252	81
		DEFENSE BASE ACT	944	389	20	22	26	167	127	11	182
		LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1673	84	232	144	19	440	305	15	434
		PERMANENT ALIEN LABOR CERTIFICATION	1263	1183	3	1	0	0	68	0	8
		TEMPORARY ALIEN LABOR CERTIFICATION	282	76	25	20	32	44	33	16	36
		TRADITIONAL	122	75	0	11	8	6	4	8	10
		WHISTLEBLOWER	359	74	29	60	37	83	20	8	48
	OAU Totals		6059	2127	363	439	509	877	635	310	799
	By Decision Type	ADMINISTRATIVE CLOSURE	13	1	2	0	0	1	1	2	6
		AFFIRMING	39	8	5	5	9	0	12	0	0
		AWARD OF BENEFITS	620	43	123	48	142	10	69	80	105
		CONSENT DECREE	2	0	0	0	0	0	0	0	2
		CONSENT ORDER	30	21	1	0	2	3	1	0	2
		DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	2398	1145	100	57	73	570	100	44	309
		DENIAL OF BENEFITS	344	22	17	39	104	13	24	73	52
		FINAL ORDER	314	175	4	85	0	3	43	1	3
		ORDER OF DISMISSAL	541	367	10	45	17	58	14	5	25
		ORDER OF REMAND	1555	226	96	147	137	215	366	79	289
		REVERSING	10	2	2	1	1	0	4	0	0
		SUMMARY/DEFAULT JUDGMENT	9	0	2	2	1	1	0	0	3
WITHDRAWAL DISMISSAL		184	117	1	10	23	3	1	26	3	
OAU Totals		6059	2127	363	439	509	877	635	310	799	

*** Note:**

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Case Completion Time Trend

Figure 18. Median Time from Date of Docket to Disposition by Case Area FY 17 – FY 22 (As of 31 December 2021)

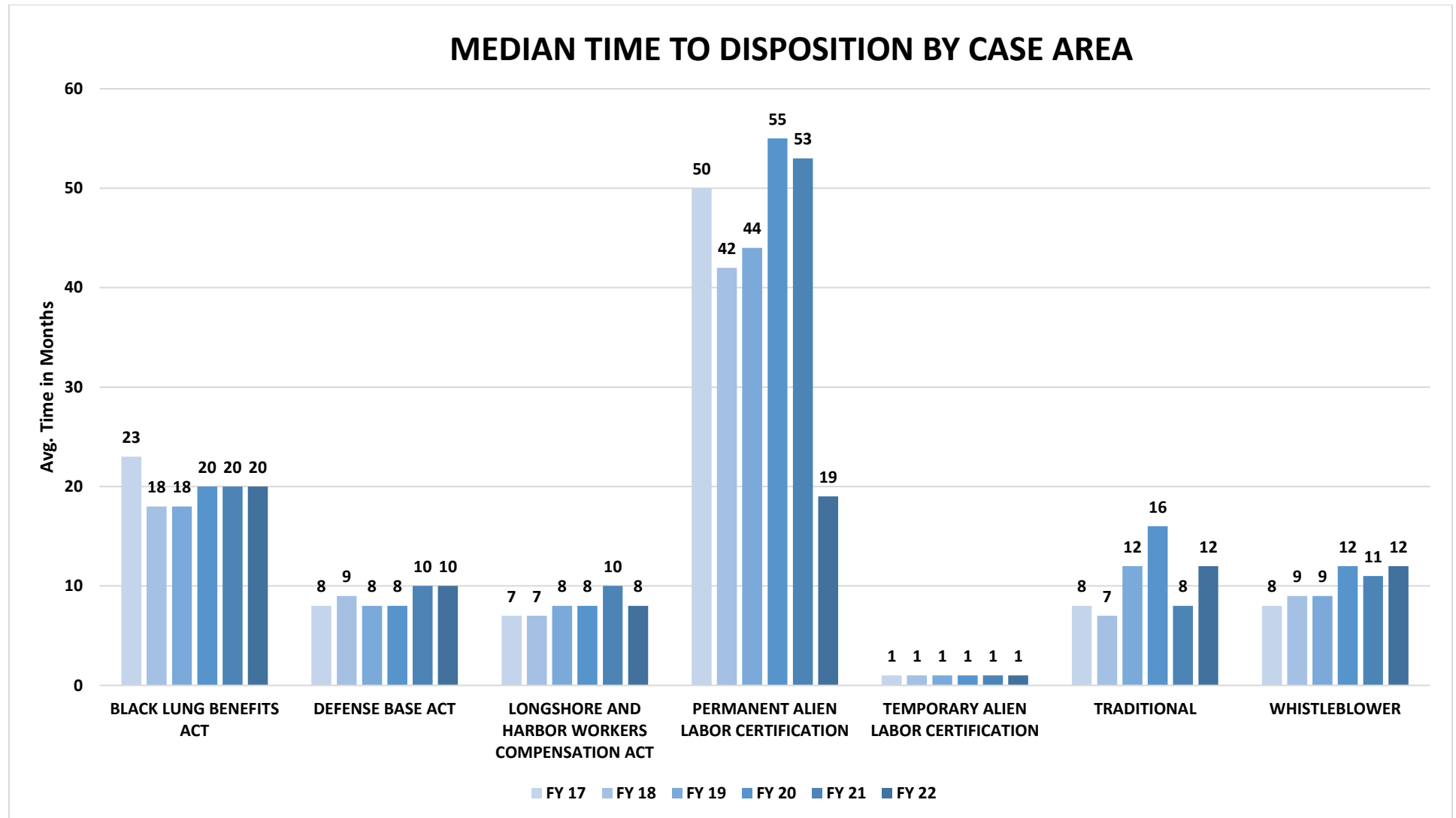


Figure 19. Mean Time from Date of Docket to Disposition by Case Area FY 17 – FY 22 (As of 31 December 2021)

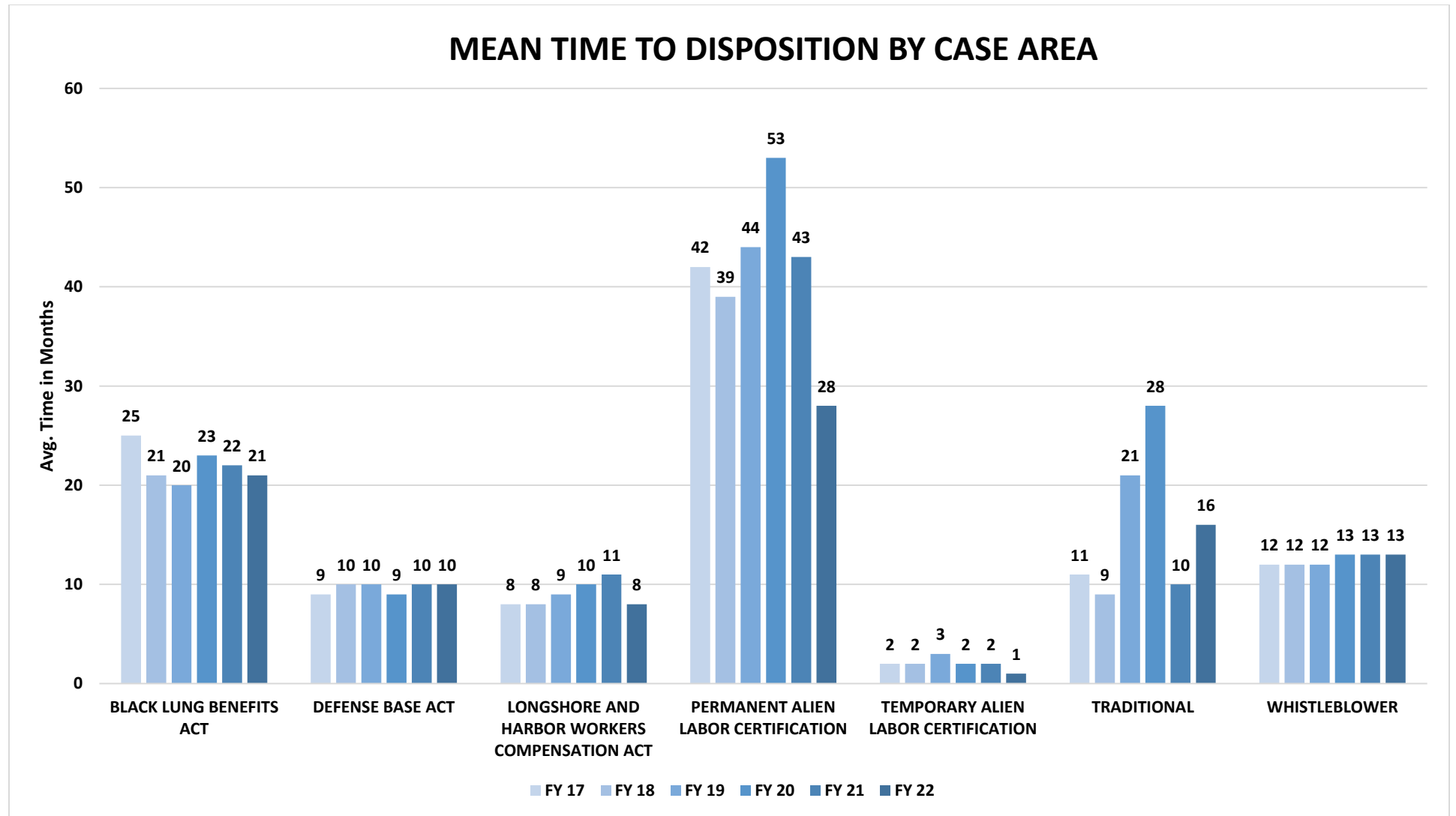


Figure 20. Median Time from Date of Judge Assignment to Disposition by Case Area FY 17 – FY 22 (As of 31 December 2021)

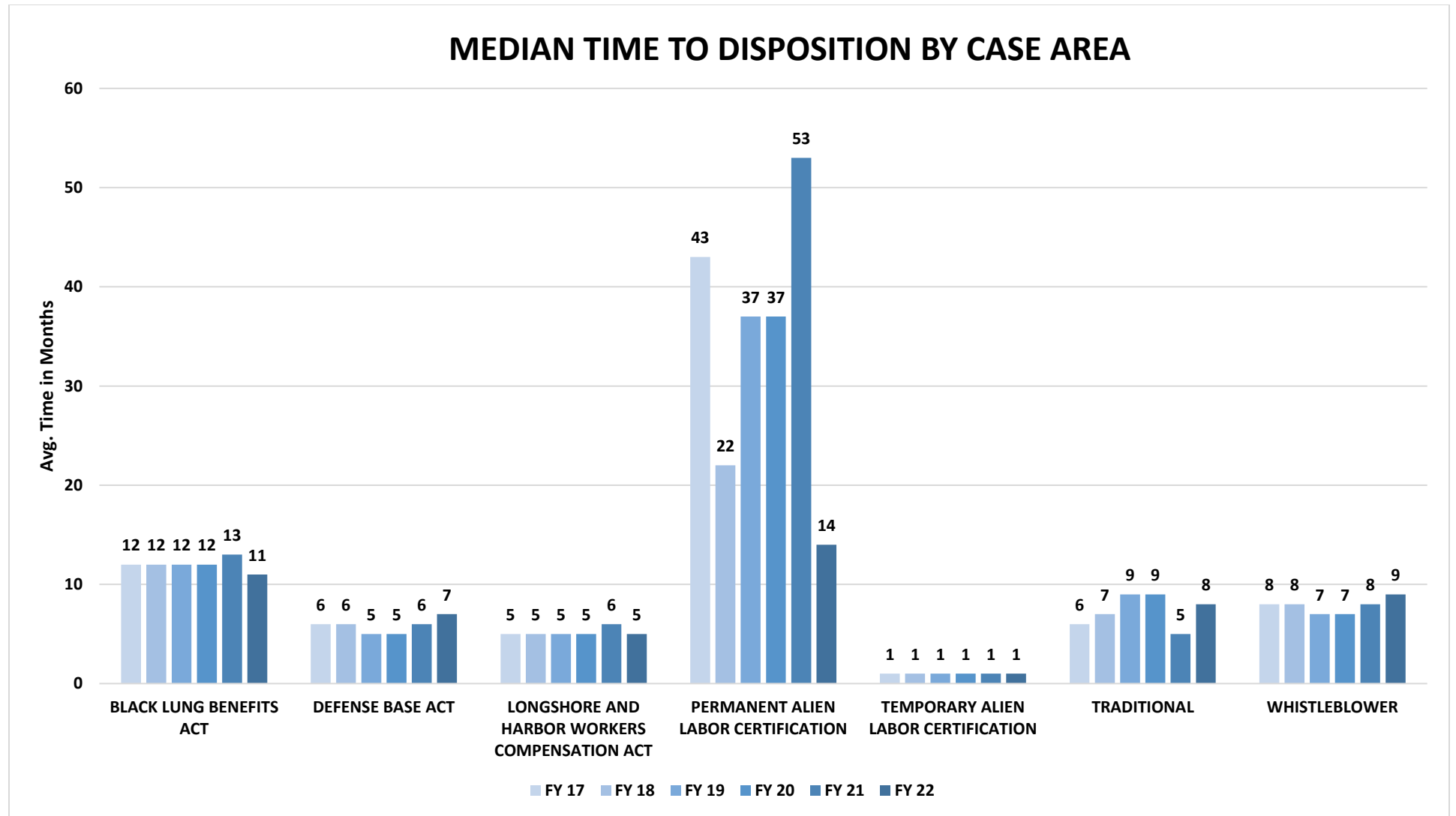
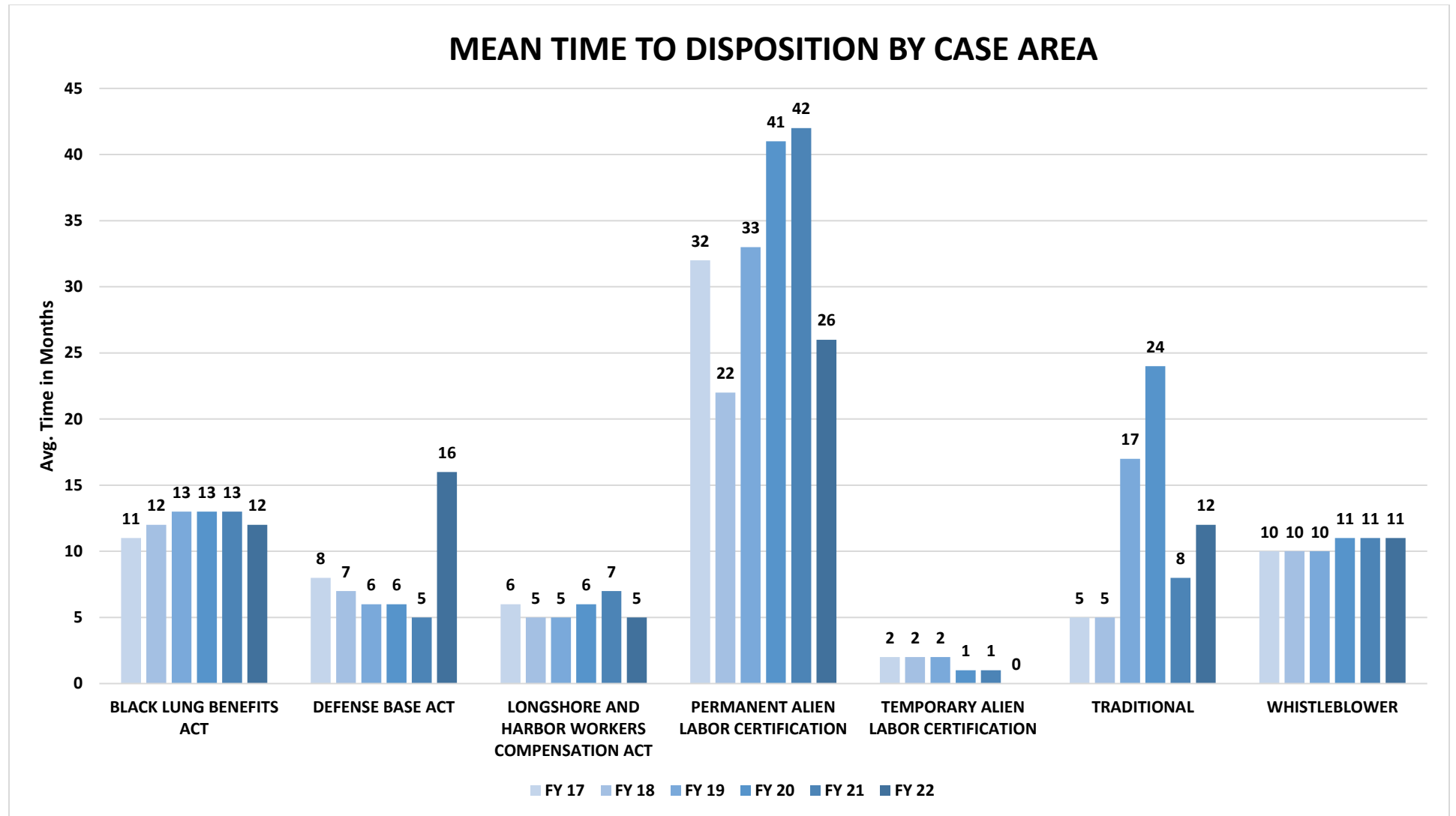


Figure 21. Mean Time from Date of Judge Assignment to Disposition by Case Area FY 17 – FY 22 (As of 31 December 2021)





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